

**DECLARATION OF JON LAFOLLETTE**

I, Jon LaFollette, do hereby declare:

1. I am a Special Agent of the Drug Enforcement Administration (DEA), United States Department of Justice. I have been employed by the DEA as a Special Agent for over 15 years. Currently, I am assigned to the Eugene, Oregon DEA office. I have completed DEA basic training. This training included the investigation, detection, and identification of controlled substances. I have also completed Conspiracy and Complex Investigations training. Additionally I have participated in numerous narcotics investigations since my employment with the DEA as a case agent, undercover agent and surveillance agent. I have consulted and conversed with numerous other agents from various local, state and federal agencies on drug cases of all types including the distribution of marijuana. Because of this and my own experience and training, I am familiar with marijuana.

2. This declaration is prepared in support of a complaint seeking *In Rem* forfeiture of the real property, including the lot or tract of land and any appurtenances or improvements on that property, commonly known as 19740 Highway 42, Camas Valley, Douglas County, Oregon, more particularly described as follows:

Beginning at a point in the center of the County Road 8.57 chains South and 30.33 chains West from the quarter section corner between Sections 29 and 30, Township 29 South, Range 8 West, Douglas County, Oregon; thence running North 89° 15' East 13.05 chains; thence North 12.00 chains; thence South 89° 15' West 3.65 chains; thence South 37° 50' West 15.35 chains to place of beginning.

EXCEPTING THERFROM the property described in Book 1052, Page 849, Recorder's No. 89-3713, Records of Douglas County, Oregon.

3. As set forth below, there is probable cause to believe and I do believe that John Joseph Ambrosini Sr. has committed violations of Title 21 United States Code, Sections 841 and 846.

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Specifically, I believe that John Joseph Ambrosini Sr. facilitated the illegal cultivation and distribution of marijuana at the 19740 Highway 42 property, therefore, the real property, including the lot or tract of land and any appurtenances or improvements on that property, located at 19740 Highway 42, Camas Valley, Oregon, was used to commit and facilitate the violations of Title 21 U.S.C. Sections 841 and 846 and was purchased with the proceeds from the sale of marijuana, and is therefore subject to seizure and forfeiture pursuant to Title 21 U.S.C. Sections 881 (a)(7).

4. I am conducting this investigation jointly with members of the South Coast Interagency Narcotics Team (SCINT). The statements contained in this declaration are based upon my observations, information provided to me by other law enforcement personnel, and on my experience and training as a Special Agent of the DEA. Since this affidavit is being submitted for the limited purpose of a complaint *In Rem* for forfeiture, I have not included every fact known to me concerning this investigation. I have set forth only the facts that are necessary to establish probable cause to believe the asset described herein is subject to forfeiture.

Statements from witnesses are not intended to be direct quotations unless specifically indicated.

5. Title 21 U.S.C. § 841(a)(1) provides, in part:

Except as authorized by this subchapter, it shall be unlawful for any person knowingly or intentionally - (1) to manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense, a controlled substance.

6. Title 21 U.S.C. § 846 provides:

Any person who attempts or conspires to commit any offense defined in this subchapter shall be subject to the same penalties as those prescribed for the offense, the commission of which was the object of the attempt or conspiracy.

7. Title 21 U.S.C. § 881 provides, in part:

The following shall be subject to forfeiture to the United States and no property right shall exist in them:

(7) All real property, including any right, title, and interest (including any leasehold interest) in the whole of any lot or tract of land and any appurtenances or improvements, which is used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, a violation of this subchapter punishable by more than one year's imprisonment.

8. During the spring and summer of 2012, I conducted on the ground and aerial surveillance of this property. During surveillance, I personally observed John Joseph Ambrosini Sr., Sandra Ambrosini, Rudolph Babbino, John Ambrosini Jr., Michelle Koll, and other individuals at this location. I personally observed via aerial surveillance at least 50 mature marijuana plants growing on this property. The marijuana plants were not visible from the road.

10. On July 30, 2012, I conducted ground surveillance at 325 Park Hill Lane, Sutherlin, OR. Surveillance units followed Rudolph Babbino from 325 Park Hill Lane to 19740 Highway 42. The following vehicles were observed at this address at that time: a 2004 Hummer H2 bearing Oregon license plates 964EPH registered to Ambrosini Jr. and Michelle Koll, a 1990 GMC pickup truck bearing Oregon license plate 161FHY registered to Mark Malnack and Lori Malnack, a black pickup truck, a small white pickup truck and a dark gray Ford pickup truck.

11. On August 14, 2012, I conducted physical surveillance at 19740 Highway 42. During this surveillance, I observed Ambrosini Sr. removing some unknown boxed items from the rear of his 2002 Ford F150 pickup truck. I also observed a white 1990 Toyota pickup truck bearing Oregon license plates 716ELF. The registered owner for this vehicle was Ambrosini Jr. I also observed the black 1981 Chevrolet C10 pickup truck bearing Oregon license plates 013CXQ. The registered owner for this vehicle was Rudolph Babbino whose address was listed as 19740 Highway 42, Camas Valley, OR.

12. I conducted aerial surveillance on August 15, 2012 at 19740 Highway 42. During this aerial surveillance, marijuana plants were observed on the property. During the surveillance, the gray 2002 Ford F150 pickup truck driven by Ambrosini Sr. was observed on the property. Also observed was the white pickup truck and black pickup truck described above. I also observed during this surveillance the construction of a basement or structure just to the south of the red barn.

13. I conducted aerial surveillance on September 11, 2012 at 19740 Highway 42. During this aerial surveillance, marijuana plants were observed on the property. During this surveillance, I observed the gray 2002 Ford F150 pickup truck, the silver Lincoln LS driven by S. Ambrosini and the black pickup truck described above parked on the property.

14. A check with Douglas Electric Company for utility service indicated Ambrosini Sr. was the utility subscriber effective October 2011.


15. On October 16, 2012, during the execution of a federal search warrant, agents seized approximately 23 live mature growing marijuana plants and approximately 200 pounds of processed marijuana. During a non-custodial interview with Ambrosini Sr., Ambrosini Sr. stated this was the first year that he had grown marijuana at this property. Ambrosini Sr. stated that the drying marijuana seized had come from the corresponding holes that were observed in the ground where previous aerial surveillance had indicated marijuana plants had been growing. Also seized during the search warrant was documents from AmeriTitle dated September 10, 2012 that they were establishing an escrow account for the property at 19740 Highway 42, Camas Valley, Oregon and would be preparing the documents and required information for the closing/purchase of said property. These documents showed that the preliminary title report indicated a proposed title insurance policy valued at \$55,000.00 was being prepared to list John

Ambrosini as the insured. Also a lien and encumbrance report was received on October 30, 2012 that indicated the property was owned by John Ambrosini. John Ambrosini had purchased the property on 09-17-2012 for \$55,000.00 from Loyal K. Bahrke. This information was filed with the Douglas County Tax Assessors office on 09-19-2012. While the title and other paperwork simply lists John Ambrosini, I believe based on the investigation and his own statements that John Ambrosini Sr. (not Jr.) is the owner of the property.

16. Based on the above facts, there is probable cause to believe and I do believe that John Joseph Ambrosini Sr. committed violations of Title 21 U.S.C. Sections 841 and 846. Furthermore, there is probable cause to believe and I do believe, that the real property, including the lot or tract of land and any appurtenances or improvements on that property, located at 19740 Highway 42, Camas Valley, Douglas County, Oregon was used to commit and facilitate the violations of Title 21 U.S.C. Sections 841 and 846 and is therefore subject to seizure and forfeiture pursuant to Title 21 U.S.C. Sections 881(a)(7).

I declare under penalty of perjury that the foregoing is true and correct pursuant to 28 U.S.C. §1746.

Executed this 1<sup>st</sup> day of November, 2012, at Eugene, Oregon.

  
 JON LAFOLLETTE  
 Special Agent DEA